

### **REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. The Applicant thanks the Examiner for carefully considering this application.

#### **Disposition of Claims**

Claims 23-25, 27-31, and 33-36 are pending in this application. Claims 23, 25, 29, 31, 35, and 36 are independent. The remaining claims depend, directly or indirectly, from any one of claims 23, 25, 29, and 31.

#### **Rejections under 35 U.S.C § 101**

Claims 23-28, 35, and 36 were rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Independent claims 23, 25, 35, and 36 have been amended in this reply to clarify the present invention. The claimed invention as now recited in the amended claims is within the technological art because these claims recite processes within the technological arts both executed in a computer and post-computer processing, physical steps that produce useful, concrete, and tangible results. Accordingly, withdrawal of the rejection is respectfully requested.

#### **Rejections under 35 U.S.C § 103**

Claims 23-36 were rejected under 35 U.S.C. §103(a) as being unpatentable by “Bechet, Thomas P; Walker, James W. *Aligning staffing with business strategy*. Human Resource Planning, v16n2, pp. 1-16, 1993” (hereinafter “Bechet et al.”). Independent

claims have been amended in this reply to clarify the present invention recited. To the extent that this rejection may still apply to the claims as amended, the rejection is respectfully traversed.

**Claims 23, 24, 29, 30, and 35**

Independent claim 23, as amended, recites a method executed in a computer to form a fostering plan for an individual having, as a strong capability, a capability that is weak within an organization. Specifically, the concept of the claimed invention involves finding the accumulated capability in the organization as an amount. This accumulated capability is an aggregation of the capabilities of a plurality of individuals calculated by totaling up the capability amount of the individuals for respective capability types. Then, a weak capability in the organization is retrieved. That is, from the accumulated capability of the organization, the capability type that falls below a necessary capability amount in the organization is retrieved. A fostering plan is formed so that the organization can foster a specific individual having, as a strong capability, the weak capability in the organization. In other words, the claimed invention provides a process to supplement the weak capability in the organization with the strong capability of the specific individual. In doing so, work performed employing the strong capability of the specific individual improves the organization, and an opportunity to further develop the specific individual's strong capability is given to the specific individual. [To this end, claim 23 includes the limitation "(c) comparing the capability amount in the generated capability information with a first predetermined criterion for the respective capability types, and retrieving, as a strong value, the capability for the capability amount that exceeds the first predetermined criterion for

the respective capability types.”

In view of the above discussion and amendments, Bechet *et al.* does not disclose or teach the limitation now recited in amended claim 23. Bechet *et al.* merely discloses human resource issues involving gaps between desired and actual capabilities, wherein the gaps may include deficits in employees with required competencies (see page 5, the first paragraph). Bechet *et al.* does not show or suggest a process to supplement the weak capability of an organization with the strong capability of a specific individual as recited in the amended claims.

In view of the above, Bechet *et al.* fails to show or suggest the present invention as now recited in the amended claim 23, 24, 29, 30, and 35. Thus, the claims are patentable over Bechet *et al.* Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

**Claims 25, 27-28, 31, 33-34, and 36**

Claim 25, as amended, recites a method executed in a computer to select an individual to be supplemented for an organization. Specifically, claim 25 includes the limitation “(e) comparing the capability amount in the generated capability information with a predetermined criterion, and retrieving, as a strong value, the capability for the capability amount that exceeds the predetermined criterion; forming a fostering plan of a specific individual having the weak value in the organization as the strong value.”

In contrast, Bechet *et al.* does not disclose or teach the invention as now recited in amended claim 25. As mentioned above, Bechet *et al.* merely discloses human resource issues involving gaps between desired and actual capabilities, wherein the gaps may

include deficits in employees with required competencies (see page 5, the first paragraph). Bechet *et al.* does not show or suggest that a process to supplement a weak capability of an organization with the strong capability of a specific individual as now recited in the amended claims.

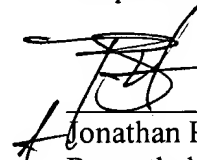
In view of the above, Bechet *et al.* fails to show or suggest the present invention as recited in the claim 25, 27-28, 31, 33-34, and 36. Thus, the claims are patentable over Bechet *et al.* Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

#### **Conclusion**

The Applicant believes this reply to be fully responsive to all outstanding issues and place this application in condition for allowance. If this belief is incorrect, or other issues arise, do not hesitate to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 15115.003001).

Respectfully submitted,

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 #45,079  
Jonathan P. Osha, Reg. No. 33,986  
Rosenthal & Osha L.L.P.  
One Houston Center, Suite 2800  
1221 McKinney Street  
Houston, TX 77010  
Telephone: (713) 228-8600  
Facsimile: (713) 228-8778